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Paper No. 11

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JUL 23 2003

OFFICE OF PETITIONS

In re Application of	:	
Kiyoshi Sato, Toshinori Watanbe, Hideki	:	
Gochou, Kiyoshi Kobayahsi, Toru	:	DECISION ON PETITION UNDER
Takahashi, Hisayuki Yazawa, and Masaki	:	37 C.F.R. §1.47(a)
Ikegami	:	
Application No. 09/802,314	:	
Filed: March 8, 2001	:	
Attorney Docket No. 9281/3900	:	
Title: THIN-FILM MAGNETIC HEAD	:	
APPROPRIATELY SUPPRESSING	:	
SIDE FRINGING AND METHOD FOR	:	
FABRICATING THE SAME	:	

This is in response to the submission which was transmitted via facsimile transmission on March 24, 2003, and was only recently forwarded to the undersigned.

The above-identified application was filed on March 8, 2001, without a fully executed oath or declaration and identifying Kiyoshi Sato, Toshinori Watanbe, Hideki Gochou, Kiyoshi Kobayahsi, Toru Takahashi, Hisayuki Yazawa, and Masaki Ikegami as joint inventors. On April 13, 2001, a "Notice to File Missing Parts of Nonprovisional Application - Filing Date Granted" was mailed, requiring an executed oath or declaration in compliance with 37 C.F.R. §1.63, the statutory basic filing fee of \$710, and the fee for filing a late oath or declaration of \$130. This Notice set a two-month period for reply.

The original petition, filed on August 16, 2001, was dismissed via a decision mailed on October 10, 2001, for failure to submit an acceptable declaration. The petition stated that the non-signing inventor had died, and that his two heirs had signed on his behalf. Unfortunately, the declaration was not acceptable, as it failed to list the deceased non-signing joint inventor, and instead listed both heirs as joint inventors.

With the renewed petition, petitioner submitted a declaration which listed both heirs properly, but they failed to execute the declaration.

With the submission of March 24, 2003, Petitioner has established that the two heirs are legal representatives of the deceased inventor. Petitioner has previously established that they have refused to execute the declaration.

As such, the above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(a), this Office will forward notice of this application's filing to the non-signing inventors at the addresses given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

After this decision is mailed, the application will be forwarded to Technology Center 2600 for further processing.

Telephone inquiries regarding *this decision* should be directed to Petitions Attorney Paul Shanowski at (703) 305-0011.



Paul Shanowski
Attorney
Office of Petitions
United States Patent and Trademark Office